

Amendment

Application Filed: August 3, 2006

Serial No: 10/588,326

**REMARKS**

Claims 1 through 7 and 9 through 20 remain in the patent application. Claim 8 has been cancelled. Claims 1, 2, 13 and 16 are in independent form. Claims 13 through 20 have been allowed.

Claim 9 has been objected to because “the spherical surface” has no prior mention in the preceding claim 1. Applicant has amended claim 9 to correctly set forth the spherical surface as the concave surface. Applicant intended to claim the element as such. No new matter has been added. Therefore, Claim 9, as amended to clarify the invention, overcomes the objection.

Claim 1 stands rejected under 35 U.S.C. § 102(b) as being anticipated by United States Patent 5,363,246, issued to Perry (the '246 reference). Applicant respectfully traverses this rejection.

The '246 reference discloses an exterior rearview mirror assembly. The mirror assembly includes a motor mechanism for adjusting the position of the mirror glass with respect to the mirror housing. The mirror glass 13 is secured to a mirror casing 81 which is operatively connected to the motor mechanism via a post 47. A spring 27 is secured to the post 47 inside an unnumbered groove at the distal end of the post 47. The post 47 extends out of a spherical depression 45.

Claim 1, as amended to clarify the invention, claims a mirror assembly having a case frame 30. The case frame 30 defines a concave surface 38 having a retention post 40, which, in turn, includes an elongated tip 42 in a T-shape with respect to the retention post 40. This is clearly visible in the drawings.

Amendment

Application Filed: August 3, 2006

Serial No: 10/588,326

While the '246 reference discloses an exterior rearview mirror assembly having a post 47 extending out of a spherical depression 45, it does not include a distal end or tip that is T-shaped with respect to the post 47. A groove in a post does not render it T-shaped. Further, nowhere in the '246 reference does it discuss the post 47 as being T-shaped, the benefits of a T-shaped post or why the post 47 operates as a T-shaped post.

In contradistinction, claim 1, as amended, claims a post extending out of a concave surface 38 with a T-shaped tip 42. Clearly, the T-shape is visible and discussed. It is more than a groove in a post. The end is shaped in the form of a letter "T." This T-shaped structure is not shown in the prior art. Claim 1, and all claims depending therefrom, overcome the rejection under 35 U.S.C. § 102(b).

Claim 2 was objected to for depending from a rejected claim. All of the limitations of claim 1 have been incorporated into claim 2. Therefore, claim 2, and all claims depending therefrom overcome the objection.

Amendment

Application Filed: August 3, 2006

Serial No: 10/588,326

It is respectfully submitted that this patent application is in condition for allowance, which allowance is respectfully solicited. If the Examiner has any questions regarding this amendment or patent application, the Examiner is invited to contact the undersigned. The Commissioner is hereby authorized to charge any additional fee associated with this Communication to Deposit Account No. 50-0852.

Respectfully submitted,

/david j simonelli/

---

David J. Simonelli, (Reg. No. 36,680)  
Reising Ethington Barnes Kisselle, P.C.  
P.O. Box 4390  
Troy, MI 48099-4390  
(248) 689-3500

Date: July 25, 2008

Attorney Docket No: 7742.3064.001